

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 915

[Docket No. FV02-915-1]

Avocados Grown in South Florida; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible growers of Florida avocados to determine whether they favor continuance of the marketing order regulating the handling of avocados grown in the production area.

DATES: The referendum will be conducted from June 3, through June 14, 2002. To vote in this referendum, growers must have been producing Florida avocados during the period April 1, 2001, through March 31, 2002.

ADDRESSES: Copies of the marketing order may be obtained from the office of the referendum agent at 799 Overlook Drive, Suite A, Winter Haven, Florida, 33884, or the Office of the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, Agricultural Marketing Service (AMS), U.S. Department of Agriculture (USDA), 1400 Independence Avenue SW., Stop 0237, Washington, DC 20250-0237.

FOR FURTHER INFORMATION CONTACT: Doris Jamieson, Southeast Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 799 Overlook Drive, Suite A, Winter Haven, Florida, 33884; telephone (863) 324-3375; or Kathleen Finn, Marketing Order Administration Branch, Fruit & Vegetable Programs, AMS, USDA, 1400 Independence Ave SW., Stop 0237, Washington, DC 20250-0237; telephone (202) 720-2491.

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 915 (7 CFR part 915), hereinafter referred to as the

“order” and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the “Act,” it is hereby directed that a referendum be conducted to ascertain whether continuance of the order is favored by growers. The referendum shall be conducted during the period June 3, through June 14, 2002, among Florida avocado growers in the production area. Only growers that were engaged in the production of Florida avocados during the period of April 1, 2001, through March 31, 2002, may participate in the continuance referendum.

The USDA has determined that continuance referenda are an effective means for ascertaining whether growers favor continuation of marketing order programs. The USDA would consider termination of the order if less than two-thirds of the growers voting in the referendum and growers of less than two-thirds of the volume of Florida avocados represented in the referendum favor continuance. In evaluating the merits of continuance versus termination, the USDA will consider the results of the referendum and other relevant information regarding operation of the order. The USDA will evaluate the order’s relative benefits and disadvantages to growers, handlers, and consumers to determine whether continuing the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum herein ordered have been submitted to and approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0189 for Florida avocados. It has been estimated that it will take an average of 20 minutes for each of the approximately 150 growers of Florida avocados to cast a ballot. Participation is voluntary. Ballots postmarked after June 14, 2002, will not be included in the vote tabulation.

Doris Jamieson and Chris Nissen of the Southeast Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, are hereby designated as the referendum agents of the USDA to conduct such referendum. The procedure applicable to the referendum shall be the “Procedure for the Conduct of Referenda in Connection With

Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended” (7 CFR 900.400 *et seq.*).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents and from their appointees.

List of Subjects in 7 CFR Part 915

Avocados, Marketing agreements, Reporting and Recordkeeping requirements.

Authority: 7 U.S.C. 601-674.

Dated: February 22, 2002.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 02-4705 Filed 2-27-02; 8:45 am]

BILLING CODE 3410-02-P

NATIONAL INDIAN GAMING COMMISSION

25 CFR Part 542

RIN 3141-AA24

Minimum Internal Control Standards

AGENCY: National Indian Gaming Commission.

ACTION: Proposed rule: Notice of extension of time.

SUMMARY: On December 26, 2001, the National Indian Gaming Commission (Commission) issued a Proposed Rule proposing revisions to its Minimum Internal Control Standards. Upon several requests from affected Tribes, the date for filing comments is being extended.

DATES: Comments shall be filed on or before March 4, 2002.

ADDRESSES: Send comments by mail, facsimile, or hand delivery to: Minimum Internal Control Standards, Revision Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street, NW., Washington, DC 20005. Fax number: 202-632-7066 (not a toll-free number). Public comments may be delivered or inspected from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday.

FOR FURTHER INFORMATION, CONTACT: Michele F. Mitchell at 202-632-7003 or, by fax, at 202-632-7066 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act ("IGRA" or "Act") 25 U.S.C. 2701–2721, enacted on October 17, 1988, established the National Indian Gaming Commission (Commission). On January 5, 1999, the Commission established Minimum Internal Control Standards (MICS) for gaming operations by regulation. 25 CFR part 542. On November 27, 2000, the Commission solicited comments regarding revisions to the MICS. As a result of the comments, the Commission set up an Advisory Committee to assist in addressing the comments received and drafting proposed revisions. The resulting proposed revisions were published in the **Federal Register** on December 26, 2001 (66 FR 66500), with a 60-day comment period, as corrected on January 24, 2002 (67 FR 3537). A public hearing was held on February 5, 2002. Because of several requests from tribes affected by the revisions, the Commission has decided to extend the comment period by one week. The public comment period will now end on Monday, March 4, 2002.

Dated: February 22, 2002.

Elizabeth L. Homer,
Vice-Chair.

Teresa E. Poust,

Commissioner, National Indian Gaming Commission.

[FR Doc. 02–4797 Filed 2–27–02; 8:45 am]

BILLING CODE 7565–01–P

DEPARTMENT OF EDUCATION

34 CFR Chapter II

Office of Elementary and Secondary Education; Title I of the Elementary and Secondary Education Act of 1965, as Amended (ESEA); Improving the Academic Achievement of the Disadvantaged

AGENCY: Department of Education.

ACTION: Notice of meetings to conduct a negotiated rulemaking process.

SUMMARY: The Assistant Secretary for Elementary and Secondary Education (Assistant Secretary) of the U.S. Department of Education (Department) will convene a negotiating group—including Federal, State, and local education administrators, parents, teachers, and members of local boards of education—to participate in a negotiated rulemaking process prior to publishing proposed regulations to implement part A of Title I, Improving Basic Programs Operated by Local Educational Agencies, of the Elementary and Secondary Education Act of 1965, as recently amended by the No Child

Left Behind Act of 2001. Title I is designed to help disadvantaged children meet high academic standards. The negotiating committee will review draft proposed regulations developed on statutory provisions involving standards and assessments.

DATES: We will hold five meetings of the negotiating group. The dates and times of the meetings are in the Schedule of Negotiations.

ADDRESSES: The five meetings to conduct the negotiated rulemaking process will be held at the U.S. Department of Education, Barnard Auditorium, 400 Maryland Avenue, SW., Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Susan Wilhelm, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3W202, Washington, DC 20202–6132. Telephone (202) 260–0826.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

The meeting site is accessible to individuals with disabilities. If you need an auxiliary aid or service to participate in the meeting (e.g., interpreting service, assistive listening device, or materials in alternative format), notify the contact person listed in this notice in advance of the scheduled meeting date. We will make every effort to meet any request we receive.

The meetings are open to the public for individuals who wish to observe the process. The Department anticipates publishing a Notice of Proposed Rulemaking no later than May 1, 2002.

SUPPLEMENTARY INFORMATION:

Schedule of Negotiations

We will hold five meetings of the negotiating group to review the draft proposed regulations:

1. March 11, 2002, 9 a.m. to 5 p.m.
2. March 12, 2002, 9 a.m. to 5 p.m.
3. March 13, 2002, 9 a.m. to 5 p.m.
4. March 19, 2002, 9 a.m. to 5 p.m.
5. March 20, 2002, 9 a.m. to 5 p.m.

Background

On January 8, 2002, the President signed Pub. L. 107–110, the No Child Left Behind (NCLB) Act of 2001, amending the Elementary and

Secondary Education Act of 1965 (ESEA). Among other things, the NCLB Act reauthorizes—for a six-year period—programs under Title I of the ESEA designed to help disadvantaged children reach high academic standards.

Section 1901 of Title I requires that, before publishing any proposed regulations to implement programs under Title I, the Department obtain the advice and recommendations of representatives of State and local administrators, parents, teachers and paraprofessionals, members of local school boards, and other organizations involved with the implementation and operation of Title I programs. On January 18, 2002, the U.S. Secretary of Education published a notice in the **Federal Register** (67 FR 2770) requesting advice and recommendations on regulatory issues under Title I. In response to that notice, the Assistant Secretary received comments from more than 100 individuals and organizations. Section 1901 also requires the Department, after obtaining advice and recommendations and before publishing proposed regulations, to establish a negotiated rulemaking process on, at a minimum, issues relating to standards and assessments under Title I, Part A. The statute requires that the negotiators represent all geographic regions of the United States and an equitable balance between representatives of parents and students and representatives of educators and education officials. To convene a diverse negotiating group that represents a wide range of interests, the Assistant Secretary asked more than 70 organizations to submit nominations with their comments on regulatory issues. In addition, the Department received nominations from individuals and organizations that participated in focus groups held to solicit advice or who commented independently in response to the Federal Register notice.

The Assistant Secretary has selected individuals to participate in the negotiated rulemaking process from among the individuals and organizations providing advice and recommendations in response to the **Federal Register** notice, including representation from all geographic regions of the United States and an equitable balance between representatives of parents and students and representatives of educators and education officials. The Assistant Secretary has also considered negotiators who would contribute to the diversity and expertise of the group. The following are the individuals who will participate in negotiated rulemaking and the interests they represent: